

in 1994." He went on to note: "The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down."

For some unexplained reason, judicial nominees who are women or racial or ethnic minorities seem to take the longest. Of the 10 judicial nominees whose nominations have been pending the longest before the Senate, eight are women and racial or ethnic minority candidates. A ninth has been delayed in large measure because of opposition to his mother, who already serves as a judge. The tenth is one who blew the lid off the \$1.4 million right-wing campaign to "kill" Clinton judicial nominees.

Pending on the Senate calendar, having been passed over again and again, are Judge Sonia Sotomayor, Judge Richard Paez and Susan Oki Mollway. Ronnie White has now finally been reported, as well. Held up in Committee after two hearings is Clarence Sundram. Still without a hearing are Anabelle Rodriguez, Judge James A. Beaty, Jr., and Jorge C. Rangel. What all these nominees have in common is that they are either women or members of racial or ethnic minorities. That is a shame.

EXHIBIT No. 1

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 1998.

Hon. TRENT LOTT,
Senate Majority Leader, Russell Office Building, Washington, DC.

Hon. ORRIN G. HATCH,
Chairman, Senate Judiciary Committee, Russell Office Building, Washington, DC.

Hon. FRED THOMPSON,
Chairman, Senate Government Affairs Committee, Dirksen Office Building, Washington, DC.

DEAR MR. LEADER AND MR. CHAIRMAN: AS Members of the Congressional Hispanic Caucus (CHC), we are writing to express our grave concern with the lack of progress and consideration of judicial nominees before the Senate. In particular, we are profoundly distressed that several of those nominees are highly qualified individuals of Latino descent. While this Congress has seen a slowdown in the confirmation process it is notable that Latino judicial nominees have been subjected to inexplicable delays.

Of the Federal judges confirmed in the 105th Congress (1997 and 1998), only 2 have been Latinos. At present, there are a number of Latinos with strong judicial and academic qualifications pending Senate judicial confirmation. Yet, several Latino judicial nominees have languished unjustifiably in the Senate for over two years and only two of the candidates have been reported out of committee.

The delay in the confirmation process results in significantly higher caseloads for existing Federal judges, and a system that guarantees frustration for those who utilize it. Already, and Second Circuit has been declared a "judicial emergency"—the circuit has seats that have been vacant for more than 18 months. Overburdened judges and a slowdown of court proceedings undermine faith in our judicial system and our democracy as a whole.

Inaction by the Senate is contributing to the underrepresentation of Latinos on the Federal bench. Latinos make up less than 5%

of all Federal judges. We urge your prompt and favorable action in confirming judicial candidates.

Sincerely,

XAVIER BECERRA.
JOSÉ E. SERRANO.

TRIBUTE TO MS. ROSELLA SCHNAKENBERG

Mr. ASHCROFT. Mr. President, I rise today to recognize Ms. Rosella Schnakenberg, a woman who has served her friends and fellow Missourians for more than 50 years. Although this service has transcended occupational boundaries, the most prominent way Ms. Schnakenberg, a lifelong resident of the Cole Camp community, has benefitted her fellow citizens has been to hold a pivotal role at the First Community Bank in Ionia, Missouri.

During her time as an employee of First Community Bank, Ms. Schnakenberg has helped customers open accounts, fill out and process loan applications, save for the future, balance checkbooks, and cash pay checks. In addition to this long list of responsibilities, what is remarkable about this versatile employee is that she performs her duties with enthusiasm and concern. That attitude has helped propel Ms. Schnakenberg from a teller who earned \$75 a month to a Vice President and Facility Manager, overseeing day-to-day operations of the bank. During her lengthy tenure, she has observed the bank change and grow from an establishment that applied for deposits by hand and lacked indoor plumbing to an institution that functions and flourishes in the modern world.

First Community Bank has not only prospered economically, under Ms. Schnakenberg's leadership, it has also benefitted from her research and recording of the bank's colorful history. That history includes a Depression-era incident when one of the bank managers had cashiers band a high-value bill on both sides of the \$1 bill stacks.

Mrs. Schnakenberg has also touched the lives of the people around her through the unselfish distribution of her time, such as serving in community activities, visiting friends in nursing homes, and playing the organ at St. John's Lutheran Church services.

To honor Ms. Schnakenberg, First Community Bank hosted a reception in her honor on Sunday, March 22, 1998, in Ionia, Missouri. It is an honor for me to recognize such a fine Missourian and to serve her in the U.S. Senate.

THE SCHOOL TRAGEDY IN SPRINGFIELD, OREGON

Mr. HATCH. Mr. President, we were all shocked and saddened by the tragic shooting incident at the Thurston High School in Springfield, Oregon. I listened with sympathy this morning to my colleagues from Oregon, and share their sentiments. My heart goes out to the victims of this horrendous crime,

and my prayers are with the injured, and with the families of all the victims in the Springfield community. I know that every parent or grandparent who sends a child to school shares the grief of the Springfield families.

This kind of tragedy has become far too common. It was only two months ago that we were shocked by the violence and horror of the schoolyard shooting in Jonesboro, Arkansas. Every day, it seems, we are assailed by new stories of senseless crimes committed by juveniles who should be too young to be capable of such acts.

Our juvenile crime problem has taken a new and sinister direction. I can imagine few acts more heinous than some of the crimes recently committed by juveniles around the country. We seem now to be in a new era, in which juveniles are committing sophisticated adult crimes. This disturbing trend demonstrates the need to reform the juvenile justice system that is failing the victims of juvenile crime, failing too many of our young people, and ultimately, failing society.

The Senate has before it comprehensive youth violence legislation. S. 10, the Hatch-Sessions Violent and Repeat Juvenile Offender Act, reported out of the Judiciary Committee last year on bipartisan vote. The goal of S. 10 is to reform and redirect the role played by the federal government in addressing juvenile crime in our Nation.

Responding to the testimony and advice of many state and local officials, S. 10 reauthorizes and streamlines the Juvenile Justice and Delinquency Prevention Act (JJDP), which provides assistance to the states in fighting juvenile crime. S. 10 also creates a \$500 million per year incentive block grant program for the states. These block grants can be used for a multitude of purposes, such as incarceration, graduated sanctions, serious and habitual offender programs, juvenile criminal record sharing, drug testing and treatment of juvenile arrestees, and numerous prevention programs.

In the face of tragedies such as the Springfield and Jonesboro murders, it is tempting to look for easy answers. I do not believe that we should succumb to this temptation. We are faced, I believe, with a problem which cannot be solved solely by the enactment of new criminal prohibitions. It is at its core a moral problem. Somehow, in this case and too many others like it, we have failed as a society to pass along to the next generation the moral compass that differentiates right from wrong. This cannot be legislated. It will not be restored by the enactment of a new law or the implementation of a new program. But it can be achieved by communities working together to teach accountability by example and by early intervention when the signs clearly point to violent and antisocial behavior, as seems to be the case in some of these tragedies.

S. 10 provides the framework to address the modest federal role in this effort. We should not let politics overwhelm this issue. I believe that this legislation must move forward. This will require us to work together. It will also require leadership from the Administration. In the ten months since this legislation was ordered reported from the Judiciary Committee, we have heard no productive comment from the Administration on the bill. The President must show leadership on this, and support S. 10. Otherwise, I am afraid that another year will pass without our having taken action on this critically important issue.

I also ask my colleagues to join me in this effort, and to join me in extending the sympathy of the Senate to the families and victims, to the community of Springfield, and the State of Oregon.

THE WORK OF THE SENATE

Mr. LEAHY. Mr. President, this week we conclude another work period by disappointing the American people. We recess, again, without concluding the people's business and passing a strong tobacco bill. Tobacco legislation is now added to the litany of important matters the Congress has left unfinished.

Last month, the Congress adjourned without even completing the federal budget and this month we recess, again, without concluding even that basic action.

Most Americans think of April 15 as the day that they file their tax returns and pay their taxes, and most Americans dutifully collect their financial records and go through the sometimes arduous task of preparing their tax returns. I hope that next year and in the years ahead that task will be made a little easier by legislation I have sponsored to require the IRS to post information and forms on the Internet, along with regulations and rulings.

Well, April 15 was also the legal deadline for Congress to have passed a budget resolution. While the Senate did some preliminary work on a flawed proposal earlier this year, Congress is recessing, again, without completing this fundamental task—another duty ignored, another legal requirement violated.

I hope that as Congress returns from its Memorial Day break it will complete work on a balanced budget to serve the American people without additional delay. It should be balanced in two senses: It should be a balanced series of proposals to meet the health, education, environmental and law enforcement needs of the country. And it will also, for the first time in almost three decades, be a balanced budget that will not rely on deficit financing.

I recall all too well last year when we were told that we could never achieve a balanced budget without a constitutional amendment. I recall the stacks of deficit-laden federal budgets proposed by Republican and Democratic

Presidents since President JOHNSON and being told that the only answer to annual budget deficits was to pass an ill-conceived constitutional amendment whose terms and effects could not be explained. I defended the Constitution then and this year President Clinton sent us the first balanced budget in almost 30 years.

With the cooperation of the Republican leadership in the Congress we can enact the first balanced budget since 1969, and we will have done it without inserting a fiscal straightjacket into the text of the United States Constitution. They said it could not be done, but it can and will as a result of the sound fiscal policies of this Administration which have lead not only to balance but to the prospect of budget surplus. In 1993, a Democratic Congress put us on the right road to fiscal responsibility when we took the hard votes and passed the President's plan. Congress should culminate that extraordinary 5-year effort without further delay.

Completing action on the budget is the first step toward Congress taking action on the annual appropriations bills that are so important to the government programs that protect the environment and assist State and local governments with education and law enforcement. Republican Congressional leadership is well-known for shutting down the government by not completing work on these basic measures in a timely way.

Those contracting with the government, working in partnership with government services and those dependent on government services deserve better. Americans deserve piece of mind and the assurances that their government is working. Congress needs to complete its appropriations so that the agencies and service providers can plan programs, pay staff and work with the American public in an effective manner.

It is high time for the congressional leadership to do its job and for the Congress to get on about the business of governing.

Congress should not be taking breaks without having completed the work of the people. Such callous disregard for the needs of the American people has become too much the rule as year after year under Republican leadership Congress recesses without having completed its work on emergency supplementals, budgets, and appropriations bills.

The Senate has also failed to take action to end the judicial emergency in the United States Court of Appeals for the Second Circuit. On March 25, the five continuing vacancies on the 13-member court caused Chief Judge Ralph Winter to certify a Circuit emergency, to begin canceling hearings and to take the unprecedented step of having 3-judge panels convened that include only one Second Circuit judge.

I have been urging favorable Senate action on the nomination of Judge

Sonia Sotomayor to the Second Circuit to fill a longstanding vacancy. That nomination remains stalled on the Senate calendar. Before the last recess I introduced legislation calling upon the Senate to address this kind of judicial emergency before it takes another extended recess. The Senate has pending before it four outstanding nominees to the Second Circuit whose confirmations would end this crisis.

Unfortunately Republican Senate leadership has not taken the judicial vacancies crisis seriously and has failed to take the concerted action needed to end it. They continue to perpetuate vacancies in almost one in 10 federal judgeships.

With 11 nominees on the Senate calendar and 32 pending in Committee, we could be making a difference if we would take our responsibilities to the federal courts seriously and devote the time necessary to consider these nominations and confirm them. Instead, we are having hearings at a rate of one a month, barely keeping up with attrition and hardly making a dent in the vacancies crisis that the Chief Justice of the United States has called the most serious problem confronting the judiciary.

We began this legislative year prepared finally to make progress on issues like campaign finance reform, tobacco legislation and juvenile crime legislation. Republican leadership has lead to inaction on all three.

On the issue of campaign finance reform, Democrats and some notable Republicans have been prepared to attack the soft money that so pervades the current system. Rather than close the loopholes and correct the system, the Republican leadership has chosen to close the debate and perpetuate the status quo.

On tobacco legislation, we have an important opportunity to make real progress. Now that the courts have moved to disclose the secret documents from the industry's efforts to hide the nature of nicotine addiction and their marketing efforts to children, now that the tobacco companies' lobbying stranglehold on Congress has been loosened, and now that we have demonstrated that the majority of the Senate agrees with Senator GREGG and me that we need not grant special legal protections to tobacco companies in order to enact legislation that can make a difference, it is time for the Senate to move forward. We should be passing strong tobacco legislation.

Since the first week of the year I have been urging attention to the matter of juvenile crime. When the Judiciary Committee reported a misguided bill last year, I noted the improvements that had been made in the Committee's consideration and the aspects that needed to change for us to develop a legislative consensus that could help State and local law enforcement in the battle against juvenile crime.

We have heard for months this would be a priority this Congress. Instead of